

Resource

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Ohio Bureau of Workers' Compensation Prospective Billing

The Ohio Bureau of Workers' Compensation (BWC) has transitioned to a prospective billing system. Each year in May, BWC will send out an *Estimated Annual Premium Notice* and a *Premium Installment Schedule*. The *Estimated Annual Premium Notice* can be helpful in budgeting your workers' compensation costs.

Installment Payments

Please mark your calendar with your installment option dates and pay your workers' compensation installments timely to avoid penalties, interest or a lapse in workers' compensation coverage. Having more options to pay can be cost-effective for budgeting, but this means there are also more opportunities to lapse in coverage. Employers without workers' compensation coverage are responsible for the cost of claims occurring during any lapse in coverage period.

For policy year 2016 and thereafter, employers may annually select a different installment option. The option an employer chooses is effective for the entire policy year. The employer must notify BWC of its new installment option selection by May 15 each year. Installment payments can be made online at www.bwc.ohio.gov, by mail, at any BWC Service Office, or by phone at 1-800-644-6292.

Payroll True-up

Employers are required by BWC to file an annual payroll true-up report at the conclusion of the policy year, July 1, 2015 - June 30, 2016. If the final calculated premium is greater than the previously remitted premium, employers must pay the outstanding balance. Any overpayment of premium will be refunded or credited to the account. True-up payments must be made online at www.bwc.ohio.gov, or by phone at 1-800-644-6292.

Failure to file an annual payroll true-up report and pay any outstanding balance before August 15, 2016, will result in the following penalties:

- Immediate removal from any current group or retrospective rating plans;
- Immediate removal from any BWC program, such as the One Claim Program;
- Disqualification from any group rating plan the following year;
- Disqualification from any BWC program the following year;
- BWC will add an additional 10 percent to the premium owed, and bill the employer; and,
- BWC will certify the true-up form to the Ohio Attorney General's office for collections.

All changes (installment options, payroll, paying premiums) must be completed through BWC.

If you have any questions about BWC's true-up or prospective billing process please contact CareWorksComp's rates analyst, Tammy Bowersmith, at (866) 780-NFIB (6342), ext. 51512 or email her at tammy.bowersmith@careworkscomp.com.

Fall 2015

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Work Refusals

The Ohio Department of Job and Family Services (ODJFS) mandates anyone receiving unemployment benefits must actively search for employment and accept suitable work offers. The ODJFS defines a suitable offer as an offer of work that is similar and consistent with the worker's prior experience, training, rate of pay and hours worked. A claimant may have their unemployment benefits denied or suspended for the duration of the unemployment claim if the claimant refused an offer of suitable work without just cause, or has failed to pursue a referral of suitable work. If a claimant refuses an offer of suitable work, the employer should notify the ODJFS processing center to raise an issue of eligibility for unemployment benefits.

Employers should take into account the following factors, when making a suitable work offer:

- Risks to the employee's health;
- Safety and morals, such as religious objections;
- Employee's physical fitness for the work;
- Employee's prior training and experience;
- Length of the employment/assignment;
- Travel distance from the employee's residence to the job location; and,
- Rate of pay offered.

In order to submit a work refusal eligibility protest, employers must fax a letter to the ODJFS service office, where the claim was originally filed.

The work refusal eligibility protest letter should contain:

- Date the offer for work was made;
- Name and title of the individual who made the offer;
- Method in which the claimant was contacted for work;
- Beginning and ending dates of the work offered;
- Terms of the assignment offered;
- Type of work, duties, rate of pay, hours scheduled and location of work; and,
- Detailed reason given by the claimant for refusing the work offer.

For additional information, please contact CareWorksComp's unemployment supervisor, Melissa Keys, at (866) 780-NFIB (6342), ext. 51504 or email her at melissa.keys@careworkscomp.com.

Deadlines Approaching Fast!

The deadline to enroll in one of NFIB/Ohio's workers' compensation group rating programs is rapidly approaching! Companies that have already been invited into the NFIB/Ohio workers' compensation group rating program, and have yet to enroll, should return their enrollment documents promptly. For the enrollment deadline, please refer to your NFIB/Ohio group rating invoice, or call CareWorksComp with any questions.

Some advantages the NFIB/Ohio workers' compensation programs offer are:

- Workers' compensation claims management and hearing attendance;
- Workers' compensation rates management, including Destination: Excellence saving studies;
- Comprehensive workplace safety services, including safety audits, seminars and webinars;
- Unemployment compensation claims management and hearing attendance; and,
- A legal defense program administered by the prominent law firm, Bricker & Eckler LLP.

For any additional information, please contact CareWorksComp's account executive, Zack Stewart, at (866) 780-NFIB (6342), ext. 51565 or email him at zachary.stewart@careworkscomp.com.

Keeping Injured Workers Engaged

According to the Occupational Safety and Health Administration (OSHA), every year about 4.1 million workers in the United States experience a work-related injury. OSHA states that 1.1 million of those workers will lose work days as a result of their injury. Once an injured worker is able to return, it is in the best interest of the employer and injured worker to get the worker back into the workplace in some sort of capacity. Often times, this process is done through a formal program, such as the Ohio Bureau of Workers' Compensation's (BWC's) Transitional Work Program.

BWC offers a 3-1 matching grant for companies to implement a transitional work program. Qualifying companies can also receive up to a 10 percent discount off their premium by enrolling in a transitional work program. A recent study performed by BWC showed companies participating in the program reduced claims by 86 percent, and on average decreased premium by nearly \$13,000.

Implementing a return-to-work program benefits both employees and employers:

Employee Benefits

- Retain full earnings;
- Maintain a productive mindset and attitude;
- Continue a regular work schedule;
- Preserve independence by eliminating dependence on Temporary Total Compensation; and,
- Keep a sense of security, stability and self-confidence.

Employer Benefits

- Potential premium discount through BWC's Transitional Work Program;
- Getting an experienced employee back to work while avoiding expenses associated with hiring and training a new employee;
- Improve ability to manage injuries and any restrictions related to claims; and,
- Reduce the financial impact of the workers' compensation claim.

For additional information, please contact CareWorksComp's account executive, Zack Stewart, at (866) 780-NFIB (6342), ext. 51565 or email him at zachary.stewart@careworkscomp.com.

CareWorksComp Welcomes Lacey Cain!

We are proud to announce that Lacey Cain has joined the CareWorksComp team. Lacey will serve as a sales executive dedicated exclusively to the NFIB/Ohio workers' compensation programs. She brings an extensive background in Ohio workers' compensation and has specialized in risk management for employers for almost 15 years.

The majority of Lacey's career has been devoted to practicing law with a Columbus firm whose practice specialized in employment law. Lacey has expertise in workers' compensation defense on behalf of both state-funded and self-insured employers in the state of Ohio. She represented employers during all stages of their workers' compensation matters. Lacey was responsible for identifying issues, developing recommendations and implementing effective strategies in conformance with workers' compensation rules and policies. Through her efforts, she successfully reduced client expenditures and liability for employers. Prior to her time in private practice, Lacey worked for a Third Party Administrator.



Lacey looks forward to working with employers by helping them join NFIB/Ohio sponsored programs and reduce their workers' compensation and unemployment compensation costs through these programs.

If you are not currently enrolled in a NFIB/Ohio workers' compensation program, or would like a visit to discuss the benefits of joining a NFIB/Ohio sponsored program, please contact Lacey Cain at (866) 780-NFIB (6342), ext. 51580 or email her at lacey.cain@careworkscomp.com.

Discharge Due to Dishonesty

The Unemployment Compensation Review Commission (UCRC) defines an act of dishonesty as, a commission of substantive theft (any items or series of thefts that amount to \$50 or more), fraud or deceitful acts.

If an employer suspects or discovers an employee has been dishonest, in connection with work, the Ohio Department of Job and Family Services (ODJFS) recommends the employer takes the following actions:

- Document incidents of thefts or acts of deceit.
- Gather witness statements to support the alleged theft or acts of deceit.
- Attempt to obtain a signed admission, from the employee, admitting their guilt of theft or other deceitful acts.

If an employer decides to discharge an employee for theft or other acts of deceit, ODJFS recommends the employer takes the following actions:

- Ensure there is a strong final incident justifying the discharge.
- Complete the termination promptly after that final incident.

Should ODJFS uphold the discharge due to dishonesty, ODJFS can impose the following penalties on the employee:

- The unemployment claim application may be disallowed for discharges based upon the most recent employment.
- Employee benefit rights may be suspended for the duration of the unemployment claim for discharges based upon the filing of an additional claim.
- All wage credits earned with the employer will be excluded from the employee's weekly benefit amount, total amount of benefits paid and employer charges.
- Qualifying weeks earned to establish validity of the unemployment claim will be excluded which can result in an invalid claim.
- The required employee waiting week may not be satisfied on the unemployment claim.
- Penalties may also apply to employees who are placed on disciplinary layoff when the reason for separation was due to dishonesty in connection with work.

Providing proper documentation and witness statements can help employers win protests involving separations due to dishonesty. A successful protest, allows all wages and credits earned with the employer to be disqualified from impacting the employer's experience, thus saving the company money in claims costs.

For additional information, please contact CareWorksComp's unemployment supervisor, Melissa Keys, at (866) 780-NFIB (6342), ext. 51504 or email her at melissa.keys@careworkscomp.com.

Important Dates

October 2015

- **October 1** - Premium installment invoice from the Ohio Bureau of Workers' Compensation (BWC) goes out to employers.

November 2015

- **November 2** - Premium installment payment due to BWC.

December 2015

- **December 1** - Premium installment invoice from BWC goes out to employers.
- **December 31** - Premium installment payment due to BWC.